



# PUBLIC NOTICE

Federal Communications Commission  
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DA 05-2289

**THE WIRELINE COMPETITION BUREAU SEEKS COMMENT ON PETITION TO  
REDEFINE THE SERVICE AREAS OF CERTAIN RURAL TELEPHONE COMPANIES IN  
THE STATE OF SOUTH DAKOTA**

**CC Docket No. 96-45**

**Released Date: August 16, 2005**

**Comment Date: August 30, 2005**

**Reply Comment Date: September 13, 2005**

The Wireline Competition Bureau seeks comment on a petition filed by the South Dakota Public Utilities Commission (SDPUC) pursuant to section 54.207(c) of the Commission's rules, requesting Federal Communications Commission agreement with the decision of the SDPUC to redefine the service areas of the following rural local exchange companies: James Valley Cooperative Telephone Company; Venture Communications Cooperative; Interstate Telecommunications Cooperative, Inc.; Sioux Valley Telephone Company; PrairieWave Community Telephone, Inc.; and Alliance Communications Cooperative, Inc.<sup>1</sup>

This is the Public Notice required by section 54.207(c)(2) of the Commission's rules.<sup>2</sup> If the Commission initiates a proceeding to consider the Petition, it must do so by November 14, 2005, pursuant to our rules.<sup>3</sup> If the Commission does not act on the Petition by November 14, 2005, the definition proposed by the SDPUC will be deemed approved by the Commission and shall take effect in accordance with state procedures.<sup>4</sup>

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<sup>1</sup> *Petition of the South Dakota Public Utilities Commission for Agreement in Redefining the Service Areas of Rural Telephone Companies in the State of South Dakota*, CC Docket 96-45, filed August 3, 2005 (Petition). Section 54.207 of the Commission's rules, which implements section 214(e)(5) of the Communications Act of 1934, as amended, provides that a rural incumbent local exchange company's service area will be its study area "unless and until the Commission and states, after taking into account the recommendations of a Federal-State Joint Board instituted under section 410(c), establish a different definition of service area for such company." 47 C.F.R. § 54.207(b); *see also* 47 U.S.C. § 214(e)(5).

<sup>2</sup> 47 C.F.R. § 54.207(c)(2).

<sup>3</sup> 47 C.F.R. § 54.207(c)(3).

<sup>4</sup> *See* 47 C.F.R. § 54.207(c)(3)(ii). The Commission delegated its authority to act on petitions to redefine rural service areas to the Chief, Wireline Competition Bureau. 47 C.F.R. § 54.207(e).

Pursuant to Sections 1.415 and 1.419 of the Commission's rules, 47 C.F.R. §§ 1.415, 1.419, interested parties may file comments on or before **August 30, 2005**, and reply comments on or before **September 13, 2005**. All pleadings are to reference **CC Docket No. 96-45**. Comments may be filed by using the Commission's Electronic Comment Filing System (ECFS) or by using paper copies.<sup>5</sup>

Comments filed through the ECFS can be sent as an electronic file via the Internet to <http://www.fcc.gov/cgb/ecfs/>. Generally, only one copy of an electronic submission must be filed. If multiple docket or rulemaking numbers appear in the caption of this proceeding, however, commenters must transmit one electronic copy of the comments to each docket or rulemaking number referenced in the caption. In completing the transmittal screen, commenters should include their full name, U.S. Postal Service mailing address, and the applicable docket or rulemaking number. Parties may also submit an electronic comment by Internet e-mail. To get filing instructions for e-mail comments, commenters should send an e-mail to [ecfs@fcc.gov](mailto:ecfs@fcc.gov), and should include the following words in the body of the message, "get form." A sample form and directions will be sent in reply. Parties who choose to file by paper must file an original and four copies of each filing. If more than one docket or rulemaking number appears in the caption of this proceeding, commenters must submit two additional copies for each additional docket or rulemaking number.

Filings can be sent by hand or messenger delivery, by commercial overnight courier, or by first-class or overnight U.S. Postal Service mail (although we continue to experience delays in receiving U.S. Postal Service mail).

The Commission's contractor, Natek, Inc., will receive hand-delivered or messenger-delivered paper filings for the Commission's Secretary at 236 Massachusetts Avenue, N.E., Suite 110, Washington, D.C. 20002.

- The filing hours at this location are 8:00 a.m. to 7:00 p.m.
- All hand deliveries must be held together with rubber bands or fasteners.
- Any envelopes must be disposed of before entering the building.
- Commercial overnight mail (other than U.S. Postal Service Express Mail and Priority Mail) must be sent to 9300 East Hampton Drive, Capitol Heights, MD 20743.
- U.S. Postal Service first-class mail, Express Mail, and Priority Mail should be addressed to 445 12th Street, S.W., Washington, D.C. 20554.
- All filings must be addressed to the Commission's Secretary, Office of the Secretary, Federal Communications Commission.

Pursuant to section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, this proceeding will be conducted as a permit-but-disclose proceeding in which ex parte communications are permitted subject to disclosure. For further information, contact Pam Slipakoff, Telecommunications Access Policy Division, Wireline Competition Bureau at (202) 418-7400, TTY (202) 418-0484.

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<sup>5</sup> See Electronic Filing of Documents in Rulemaking Proceedings, 63 Fed. Reg. 24121 (1998).